IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE L.NARASIMHA REDDY

WRIT PETITION NO : 22738 of 2004

Between:

1 B. Venkat Reddy S/o B. Raghava Reddy
R/o Plot No. 97, Father Balaiah Colony, Old Alwal,

Secunderabad
2 B. Suguna W/o B. Venkat Reddy
R/o Plot No. 97, Father Balaiah Colony, Old Alwal,

Secunderabad
3 B. Subhakar Reddy S/o B. Venkat Reddy
R/o Plot No. 97, Father Balaiah Colony, Old Alwal,

Secunderabad
4 B. Shyamala W/o B. Subhaskar Reddy
R/o Plot No. 97, Father Balaiah Colony, Old Alwal,

Secunderabad
5 B. Madhusudhan Reddy S/o B. Venkat Reddy
R/o Plot No. 97, Father Balaiah Colony, Old Alwal,

Secunderabad
6 B. Surekha Reddy W/o B. Madhusudhan Reddy,
R/o Plot No. 97, Father Balaiah Colony, Old Alwal,

Secunderabad
7 B. Chandra Shekar ReddyS/o B. Venkat Reddy
R/o Plot No. 97, Father Balaiah Colony, Old Alwal,

Secunderabad

..... PETITIONERS

AND

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1 The Station House Officer, Kushaiguda Police Station,

Kushaiguda, Ranga Reddy District.

2 The Station House Officer, Alwal Police Station, Alwal,

Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a Writ, order or direction more particularly one in the nature of Writ of Mandamus declaring the action of the Respondents in harassing the petitioners without registering any case against them as arbitrary, illegal and violative of Article 14,21 of Constitution of India, consequently direct the Respondents not to harass the petitioners without registering any case against them and pass such other order or orders as this Hon'ble Court may deem fit and proper in the circumstances of the case.

Counsel for the Petitioners: MR.D.JAGAN MOHAN REDDY

Counsel for the Respondents: GP FOR HOME

The Court made the following :

ORAL ORDER:

The petitioners complain that the respondents are calling all of them to the police station, without there being any case registered against them. They state that they are subjected to continuous harassment by the respondents. They also contend that the respondents are harassing them at the instance of the wife of the seventh petitioner.

Heard learned counsel for the petitioners and Learned Government Pleader for Home.

If the respondents have received any complaint alleging any crime against the petitioners, it shall always be open for them to undertake necessary

investigation and thereafter to register a case. It is true that the police can examine and interrogate a person even before registering a case for the limited purpose of verifying the matter. However, it cannot be a continuous process. The citizens can be required to attend the police station or can be subjected to necessary enquiry only when a definite complaint exists against them and when a specific case is registered.

Hence, the Writ Petition is disposed of directing that the respondents shall not require the petitioners to attend the police station except when a case is registered against them under any provision of law. No costs.

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L. Narasimha Reddy, J.

9th December, 2004

js.

To

1 The Station House Officer, Kushaiguda Police Station,

Kushaiguda, Ranga Reddy District.

2 The Station House Officer, Alwal Police Station, Alwal,

Ranga Reddy District.

3 2 CCs to G.P. for Home, High Court Buildings, Hyderabad.

4 2 CD copies.